HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.16336 of 1998

19th July, 2007

Between

Nayakula Ram Mohan Rao ..Petitioner

AND

The Additional General Manager (Personnel), B.H.E.L., Ramachandrapuram and another ..Respondents

:: JUDGMENT ::

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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There is no representation on behalf of the writ petitioner. However, at my instance, the learned Standing Counsel for Bharat Heavy Electricals Limited (for short, 'the B.H.E.L.') has produced the necessary extracts from the Personnel Manual of the B.H.E.L., which has been treated as part of the record. The said manual has prescribed the necessary standards to be possessed by the candidates to be declared fit for employment with the B.H.E.L. There are standards prescribed even with regard to the blood pressure of the candidates and since the medical examination of the writ petitioner has revealed that he has been suffering from severe hyper tension, the assessment of the Doctors was that he is not fit for employment with the B.H.E.L.

Every organization, particularly, the engineering industries are entitled to prescribe vigorous physical standards to be possessed by the candidates who seek employment therein. They are intended to ensure safety at the working place of not only such individuals but also of the fellow employees. Therefore, it is not for the Court to substitute its opinion as to the standards of physical fitness required to be possessed by the respective candidates who seek employment with the B.H.E.L. In the absence of any material to arrive at a

conclusion that the decision of the team of Doctors who examined the writ petitioner who arrived at the conclusion that he is not medically fit to be employed with the B.H.E.L., is bad, or not bonafide, it is not open to me to re-appreciate the entire material to come to a different conclusion. Therefore, the writ petition is dismissed, but however, without costs.

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NOOTY RAMA MOHANA RAO.J.

19.7.2007
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